

## Agricultural Marketing Service, USDA

## Pt. 1240

provided to FSA county offices not later than November 7, 2000.

(e) *Determination of challenges.* The FSA County Committee or its representative, acting on behalf of the Administrator, AMS, will make a determination concerning the challenge based on documentation provided by the producer and will notify challenged producers as soon as practicable but no later than November 9, 2000.

(f) *Challenged ballot.* A challenge to a ballot shall be deemed to have been resolved if the determination of the FSA County Committee or its representative, acting on behalf of the Administrator, AMS, is not appealed within the time allowed for appeal or there has been a determination by the Administrator, AMS, after an appeal.

(g) *Appeal.* A person declared to be ineligible to register and vote by the FSA County Committee or its representative, acting on behalf of the Administrator, AMS, can file an appeal at the FSA county office not later than November 17, 2000. The FSA county office shall send a producer's appeal by facsimile to the Administrator, AMS, on the date it is filed at the FSA office or as soon as practical thereafter.

(h) *Determination of appeals.* An appeal will be determined by the Administrator, AMS, as soon as practical, but in all cases not later than the 45th business day (November 28, 2000) after the date of the last day of the voting period. The Administrator, AMS, shall send her decision on a producer's appeal to the FSA county office where the producer was initially challenged. The FSA county office shall notify the challenged producer of the Administrator's, AMS, determination on his or her appeal. The Administrator's, AMS, determination on an appeal shall be final.

[65 FR 62579, Oct. 19, 2000]

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AUTHORITY: 7 U.S.C. 4601–4613; 7 U.S.C. 7401.

SOURCE: 51 FR 26148, July 21, 1986; 51 FR 29210, Aug. 15, 1986, unless otherwise noted.

#### DEFINITIONS

### Subpart A—Honey Research, Promotion, and Consumer Information Order

#### § 1240.1 Act.

*Act* means the Honey Research, Promotion, and Consumer Information Act (Pub. L. 98–590) and any amendments thereto.

[51 FR 26148, July 21, 1986; 51 FR 29210, Aug. 15, 1986. Redesignated at 66 FR 21829, May 1, 2001]

§ 1240.2 Board.

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*Board or National Honey Board* means Honey Board, the administrative body established pursuant to § 1240.30.

[66 FR 21829, May 1, 2001]

#### § 1240.3 Committee.

*Committee* means the National Honey Nominations Committee established pursuant to § 1240.32.

[66 FR 21829, May 1, 2001]

#### § 1240.4 Consumer education.

*Consumer education* means the act of providing information to the public on the usage and care of honey and honey products.

[51 FR 26148, July 21, 1986; 51 FR 29210, Aug. 15, 1986. Redesignated at 66 FR 21829, May 1, 2001]

#### § 1240.5 Department or USDA.

*Department* or *USDA* means the United States Department of Agriculture.

[66 FR 21829, May 1, 2001]

#### § 1240.6 Exporter.

*Exporter* means any person who exports honey or honey products from the United States.

[51 FR 26148, July 21, 1986; 51 FR 29210, Aug. 15, 1986. Redesignated at 66 FR 21829, May 1, 2001]

#### § 1240.7 Fiscal period and marketing year.

*Fiscal period* and *marketing year* means the 12-month period ending on December 31 or such other consecutive 12-month period as shall be recommended by the Board and approved by the Secretary.

[51 FR 26148, July 21, 1986; 51 FR 29210, Aug. 15, 1986. Redesignated at 56 FR 37456, Aug. 7, 1991, and further redesignated at 66 FR 21829, May 1, 2001]

#### § 1240.8 Handle.

*Handle* means to process, package, sell, transport, purchase or in any other way place honey or honey products, or cause them to be placed, in the current of commerce. This term shall include selling unprocessed honey that will be consumed without further processing or packaging. This term shall